

WHEREAS, this Board did on December 23, 1977 receive a petition requesting the zoning of an area located in Section 13, Township 10 North, Range 20 West and in Section 18, Township 10 North, Range 19 West, described as follows - Parcel F on Certificate of Survey 1197 (57.26); remainder Parcel on Certificate of Survey 973 (30.812 acres), records of Ravalli County, Montana, and

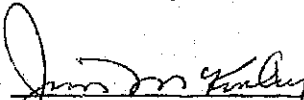
WHEREAS, the petition was signed by one hundred percent (100%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on March 9, 1978 and thereafter the Commission met again on April 13, 1978, at which time the petition was granted, and

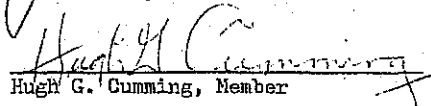
WHEREAS, Resolution No. 011 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under date April 13, 1978.

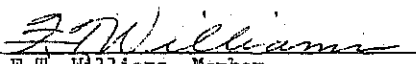
NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolution granting said petition for creation of Ravalli County Planning and Zoning District No. 16.

PASSED AND ADOPTED this 19th day of April, 1978.

BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

  
Jim McKinley, Chairman

  
Hugh G. Cumming, Member

  
F.T. Williams, Member

RESOLUTION NO. #011

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the petition was filed by one hundred percent of the free-holders within such area, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M. 1947, as amended, and,

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 16, said district is more particularly described as follows:

A parcel of land located in Section 13-10-20 & in Section 18-10-19, described as follows - Parcel F on C.S. 1197 - 57.26 acres; remainder Parcel on C.S. 973-30.812 acres, records of Ravalli County, Montana.

Map of area is on file with said petition.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District No. ) 16 ;

A. INTENT

This district recognizes the existence of rural areas that will come under pressure for residential development. This zone provides for a transitional low density residential district between urbanized areas and agricultural uses, as well as provides a zone that may be used to meet residential needs while limiting density to recognize environmental concerns. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density ..... One (1) dwelling per 1 acres  
Minimum yard - front ..... Twenty-five (25) feet  
                  - side ..... Fifteen (15) feet  
                  - rear ..... Twenty-five (25) feet  
Maximum building height ..... Thirty (30) feet

C. PERMITTED USES

1. Single-family dwelling
2. No Mobile Homes
3. No Modular Homes
4. Accessory buildings and uses

6397

**D. BUILDING REQUIREMENTS AND RESTRICTIONS:**

1. No feed lots shall be permitted.
2. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial or commercial activity.
3. No dwelling house having less than one thousand (1,000) square feet of living space shall be permitted. For purpose of determining "living space", basements of bi-level or tri-level homes with full-sized windows and completed habitable interior shall be counted. Open porches, attached garages and basements without full exterior wall exposure shall not be counted to meet space requirements.
4. All structures shall be of a least eighty-five percent new construction, and no used building shall be moved from another location onto such land, in whole or in part. A trailer house, mobile home, double-wide mobile home or camper unit may be occupied only at the site and during construction of permanent residence, not to exceed twelve (12) months. At the end of the twelve months the mobile home must be removed from the property.
5. All buildings and improvements shall be of good, sound construction so as to comply with "construction standards" of FHA.
6. Camper units and travel trailers may be stored on the property, but shall not be used as permanent living quarters after completion of the residence.
7. A dwelling house shall not be occupied until its construction on the outside is one hundred percent (100%) complete.
8. Structures to house domestic animals shall compliment the general architecture of the surrounding dwellings; no shacks or dilapidated structures will be permitted.
9. All property owners shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such animals on the land.
10. All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers to prevent escape of odors and entrance of pets and wildlife.

**E. SEVERABILITY**

Invalidation of any one of these provisions by judgement of court order shall in no way affect any of the other provisions which shall remain in full force and effect.

**F. ENFORCEMENT:**

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

1. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

- B. Space and Bulk Requirements
- C. Permitted Uses

- II. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

PASSED AND ADOPTED this 13th day of April, 1978.

PLANNING AND ZONING COMMISSION

John McKinley  
John McKinley, County Commissioner

Hugh G. Cumming  
Hugh G. Cumming, County Commissioner

F.T. Williams  
F.T. Williams, County Commissioner

R. David Schurian  
R. David Schurian, County Surveyor

Cheryl C. Richards  
Cheryl Richards, County Assessor

STATE OF MONTANA )  
COUNTY OF RAVALLI ) ss

This is to certify that I, Reba C. Falk, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in an area located in Section 13, T10N, R20W and in Section 18, T10N, R19W, described as follows - Parcel F on C.S. 1197 - 57.26 acres; remainder Parcel on C.S. 973 - 30.812 acres, records of Ravalli County, Montana. located in the following places:

1. On a fence post on fence line at North boundary of district.
2. On fence post at quarter section about midway of district.
3. On white fence post South end of district across from curve sign.

*Reba C. Falk*

Reba C. Falk, Secretary  
RAVALLI COUNTY COMMISSIONERS

Subscribed and sworn to before me this 22nd day of Feb, 1978.

*Carlton C. Hughes*

Notary Public for the State of Montana  
Residing at Hamilton, Montana SEAL  
My commission expires: April 1, 1980

6397

Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

A parcel of land located in Section 13-10-20 & in Section 18-10-19, described as follows - Parcel F on C.S. 1197 - 57.26 acres; remainder Parcel on C.S. 973 - 30.812 acres, records of Ravalli County, Montana.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 9th day of March, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

By Order of the Planning and Zoning Commission, dated the 17th day of February, 1978.

Publish: February 24, 1978

6397

RESOLUTION NO. 170

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area as described in Exhibit "A" attached hereto and by this reference made a part hereof. Map of area on file with said petition.

WHEREAS, it appears that One Hundred Percent (100%) of the freeholders affected hereby have signed said petition which is in due form.

NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries as aforesaid, is created.

IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, D.W. Galbraith, and Hugh G. Cumming; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.

IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provision of Title 16, Chapter 41, R.C.M. 1947, as revised.

DATED THIS 27th DAY OF Jan., 1978.

BOARD OF COUNTY COMMISSIONERS  
RAVALLI COUNTY, MONTANA

  
Jim McKinley, Chairman

  
D.W. Galbraith, Member

  
Hugh G. Cumming, Member

6397

Original  
7-19-89

1977

TO: County Board of Commissioners, Ravalli County

FROM: Antrim Point Area Zoning Petitioners

We, the undersigned, being <sup>one hundred percent (100%)</sup> ~~more than one percent (1%)~~ of the freeholders within the boundaries described hereinafter, do petition the Ravalli County Board of County Commissioners to establish a Planning and Zoning District and Commission pursuant to Section 16-4101, et seq. Rev. Codes of Montana, 1947, to adhere to the described property:

Legal Description for Zoning District

~~Parcel #1~~  
Parcel #1

Rec'd 12/4/77 Co. Comm.  
(Requested to take & resubmit)  
Resubmitted 12/23/77

Parcel #2

6397



TO : County Board of Commissioners, Ravalli County

FROM: Antrim Point

We, the petitioners being more than sixty (60) percent of the freeholders of property described in the petition signed on December 3, 1976, and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential zoning district.

A. Present Use:

1. Presently existing uses of land within the zoning area as of the effective date of this ordinance may be continued, notwithstanding that such uses do not conform to the terms of this ordinance.
2. If such non-conforming use is discontinued for a period of one (1) year or more, it shall then be deemed abandoned and any further use must be in conformity with uses permitted herein.
3. Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of passage of this ordinance, but not completed, may be completed and put to such non-conforming use, providing it is done within one (1) year after this resolution takes effect.

B. Future Uses:

1. No land shall be sold, conveyed, leased or rented which is less than one (1) acre in size.
2. Stream channels shall not be altered, and the natural, scenic beauty, including trees and shrubs, shall be preserved in accordance with approved timber management practices.
3. No goats or swine shall be raised or maintained for commercial purposes on any tract.
4. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial or commercial activity.

1. No land shall be sold, conveyed, leased or rented which is less than one (1) acre in size.

2.

6397

5. No noxious or offensive activities shall be carried on, on any tract, nor shall anything be done thereon which may be or may become a nuisance to the neighborhood.

C. Building Requirements and Restrictions:

1. Single family dwelling only shall be permitted.
2. No dwelling house having less than one thousand (1,000) square feet of living space shall be permitted. For purposes of determining "living space", basements of bi-level or tri-level homes with full-sized windows and completed habitable interior shall be counted. Open porches, attached garages and basements without full exterior wall exposure shall not be counted to meet space requirements.
3. No building whatsoever shall be located less than twenty-five (25) feet from the boundary line of any tract.
4. All structures shall be of at least eighty-five (85%) percent new construction, and no used building shall be moved from another location onto such land, in whole or in part. A trailer house, mobile home, double-wide mobil home or camper unit may be occupied only at the site and during construction of a permanent residence, not to exceed twelve (12) months. At the end of the 12 months the mobile home must be removed from the property.
5. All buildings and improvements shall be of good, sound construction so as to comply with "construction standards" of FHA.
6. Camper units and travel trailers may be stored on the property, but shall not be used as permanent living quarters after completion of the residence.
7. A dwelling house shall not be occupied until its construction on the outside is 100% complete.
8. Structures to house domestic animals shall compliment the general architecture of the surrounding dwellings; no shacks or dilapidated structures will be permitted.
9. All property owners shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such animals on the land.

D. General restrictions:

1. All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers to prevent escape of odors and entrance of pets and wild life.

2. Trash and junk cars shall not be accumulated or stored on the premises unless in enclosed buildings.

3. Owners and vendees of any tract hereby zoned shall comply with all state laws and regulations of the county pertaining to the State Board of Health and Environmental Sciences.

Invalidation of any one of these provisions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

Dated: <sup>November</sup> ~~August~~ 27, 1977

Stanley N. Norgaard

James R. Norgaard

Parcel #1 — George Vorp & Luella V. Vorp  
CE

140 736

6397

# Legals

JOEP.  
Parcel 1

A parcel of land located in Sections 12 and 13, T10N, R20W, P.M.M., and in sections 7 and 18, T10N, R19W, P.M.M., Ravalli County, Montana (being more particularly described as follows:

Beginning at a point located S.2°47'40" East a distance of 402.25 feet from a point in the south lines of State Highway P.A.P. #170 (1) at Station 545+33.9 thence S.89°58'40" East a distance of 771.71 feet to the southwesterly line of said highway and the beginning of a non-tangent curve concave to the southwest and having a radius of 895.00 feet; thence southeasterly a distance of 434.47 feet along said curve to station 530 + 79.5; Thence N.84°28'20" east a distance of 10.00 feet along said southwesterly line of said highway; thence S.5°31'40" East a distance of 896.41 feet along said southwesterly line to the north line of lot 1 of said section 18; thence N.89°48'00" West a distance of 1079.80 feet along said north line; thence North a distance of 1122.40 feet; thence S.80°53'08" West a distance of 228.00 feet; thence North a distance of 216.36 feet; thence S.89°58'40" East a distance of 293.74 feet to the point of beginning.

Being the remainder parcel described on Certificate of Survey No. 973.

Parcel 2

Certificate of Survey No. 1197  
Parcels A, B, C, D, E, H

Parcel 3

NEL/4SW1/4 of Section 18, Township 10, Range 19 West, lying east of the County Road as the same now exists, less rights of way.

Parcel 4

Certificate of Survey No. 1197  
Parcel F

Parcel 5

Certificate of Survey No 1197  
Parcel G

Parcel 6

Certificate of Survey No. 1198  
Parcel A

Parcel 7

Certificate of Survey No 1198  
Parcel B

Parcel 8

Oxbow Vista Tracts A, B, C, D, E.

6397



#6397

I certify that I received and filed this  
instrument on this 27th  
day of April, 1978, at 3:30  
Charles O. Hughes  
County Clerk